

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PUBLIC SAFETY (INCLUDING FIRE PREVENTION & BUILDING CODES, OFFICE OF EMERGENCY SERVICES AND SHERIFF & COMMUNICATIONS)

DATE: JULY 23, 2009

COMMITTEE MEMBERS PRESENT:

SUPERVISORS VANNESS
BENTLEY
O'CONNOR
BELDEN
SOKOL
THOMAS

COMMITTEE MEMBER ABSENT:

SUPERVISOR GIRARD

OTHERS PRESENT:

BUD YORK, SHERIFF
ROBERT SWAN, UNDERSHERIFF
SHANE ROSS, CHIEF DEPUTY
MICHAEL GATES, CAPTAIN, DEPARTMENT OF CORRECTIONS
BRIAN LAFLURE, DIRECTOR OF THE OFFICE OF EMERGENCY SERVICES/FIRE COORDINATOR
AMY MANNEY, DEPUTY DIRECTOR, OFFICE OF EMERGENCY SERVICES
CHAIRMAN MONROE
HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE AND FISCAL SERVICES
NICOLE LIVINGSTON, DEPUTY CLERK OF THE BOARD
KEVIN GERAGHTY, BUDGET OFFICER
SUPERVISORS: KENNY
PITKIN
MERLINO
SHEEHAN
STRAINER
TAYLOR
TESSIER
TODD LUNT, HUMAN RESOURCES DIRECTOR
THOM RANDALL, *THE ADIRONDACK JOURNAL*
SARAH MCLENITHAN, LEGISLATIVE OFFICE SPECIALIST

Mr. VanNess called the meeting of the Public Safety Committee to order at 9:45 a.m.

Motion was made by Mr. Bentley, seconded by Mr. Sokol and carried unanimously to approve the minutes from the previous meeting of the Public Safety Committee, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Bud York, Sheriff, who distributed copies of the Sheriff & Communications Agenda to the Committee members. A copy of the Agenda is on file with the minutes.

Sheriff York apprised that subsequent to his discussion with Paul Dusek, County Attorney, it had been determined that a request was necessary to allow the Sheriff's Department to charge a vehicle storage fee to insurance companies and private individuals. He stated that he felt it was essential to charge the fees, as vehicles were not being picked up promptly subsequent to criminal and accident investigations being completed. Mr. O'Connor queried whether Sheriff York had contacted neighboring counties to inquire whether they were charging a fee and Sheriff York replied affirmatively, and added that fees ranged from \$15 to \$20 a day.

Motion was made by Mr. O'Connor, seconded by Mr. Thomas and carried unanimously to authorize the Sheriff's Department to charge a vehicle storage fee to insurance companies and private individuals that did not retrieve their vehicles subsequent to the completion of the accident or criminal investigations, and the necessary resolution was authorized for the August 21, 2009 Board meeting. *A copy of the resolution request form is on file with the minutes.*

Sheriff York advised that Agenda Item 2 pertained to a request to enter into a contract with the West Glens Falls Emergency Medical Services (EMS) to transport Warren County inmates to the Glens Falls Hospital for medical emergencies. Mr. Sokol asked what the savings to the County would be and Sheriff York replied that it was estimated to be \$9,000.

Motion was made by Mr. Bentley, seconded by Mr. Sokol and carried unanimously to approve the contract with the West Glens Falls EMS to transport Warren County inmates to the Glens Falls Hospital for medical emergencies, and the necessary resolution was authorized for the August 21, 2009 Board meeting. *A copy of the resolution request form is on file with the minutes.*

Agenda Item 3, Sheriff York apprised, was a request for Shane Ross, Chief Deputy, Major John Shine, Lieutenant Robert Smith and Lieutenant James LaFarr to attend the New York State Sheriff's Association Road Patrol Supervisors' and Investigators' Training Conference in Albany, New York from September 8 through September 10, 2009.

Motion was made by Mr. Thomas, seconded by Mr. O'Connor and carried unanimously to approve the request to attend meeting or convention as outlined above. *A copy of the Request for Authorization to Attend a Meeting or Convention is on file with the minutes.*

Sheriff York stated that Agenda Item 4 referred to discussion on overtime usage within the Sheriff's Department. Hal Payne, Commissioner of Administrative and Fiscal Services, advised that a memo had been distributed to all Department Heads requesting they review their Departments overtime usage. He said that he had received a letter from Rob Lynch, Deputy Treasurer, regarding concerns with the amount of overtime used within the Sheriff's Department, particularly within the Corrections Division.

Sheriff York reviewed an analysis with regards to the amount of overtime usage within the various divisions of the Sheriff's Department, a copy of which was included with the Agenda. Mr. Geraghty questioned whether hiring an additional employee for the 911 Communications Center would eliminate the need for overtime and Sheriff York replied he was unsure.

Mr. Geraghty asked whether Sheriff York felt that the excessive amount of overtime hours worked was causing the staff to be less efficient and Sheriff York replied in the negative. He explained that the Supervisor for the 911 Communications Center had not informed him that the staff was overburdened; however, he stated, he did feel that it would become necessary to hire an additional employee in the near future.

Sheriff York pointed out that in the prior five years, overtime had been consistently under budgeted by \$15,000. Mr. Kenny questioned what was causing the need for overtime and Sheriff York replied that it was minimum staffing.

Robert Swan, Undersheriff, explained that overtime was necessary to provide adequate staffing for the 911 Communications Center when employees used sick leave and vacation time. Mr. Kenny queried what the process was when an employee called in sick and Undersheriff Swan responded that the employee already working would stay an extra four hours and the employee on the following shift would come in four hours early to cover the empty shift.

Undersheriff Swan advised that a schedule change was made to alleviate a large portion of the overtime used. Mr. Kenny asked whether hiring per diem employees would aid in eliminating the need for overtime and Sheriff York replied that it may reduce the amount of overtime used; however, he said, due to the stress of the job it was difficult to retain employees after they had completed the required six month training program.

Mr. Pitkin questioned how much of an impact the schedule change had on the overtime budget and Undersheriff Swan replied that the savings was estimated at \$7,000. Shane Ross, Chief Deputy, pointed out that special events, such as the Americade, caused higher activity for the 911 Communications Center, as well as if there was a year with a higher activity of storms which created the need for overtime.

Mr. Kenny queried what the minimum staff for the 911 Communications Center was and Chief Deputy Ross replied typical staffing consisted of three employees during the morning shift, three employees during the afternoon shift and two employees for the night shift. He stated that an issue arose if more than one large event occurred during the evening shift, resulting in insufficient staffing. He asserted that a staffing increase would be essential to maintain an efficient workflow for the 911 Communications Center.

Sheriff York apprised that he did not foresee an issue with the overtime being over budget in the Law Enforcement Division, as they were more than halfway through the year and only 56% of their budget had been expended. He stated that over the past five years the average cost of overtime had been \$282,604 of which only \$233,079 had been budgeted for. He pointed out that some of the overtime expenses were reimbursed through grant funding.

Regarding the Corrections Division, Sheriff York explained that for the prior five years overtime for the Department had been budgeted between \$215,000 and \$220,000; however, he pointed out, \$293,854 had been expended. He explained that due to the elimination of several positions within the Department the amount of overtime expended had increased considerably from the prior year.

Chairman Monroe suggested that the amount budgeted for overtime be more reflective of what was actually expended in prior years to prevent a shortfall. Mr. Geraghty interjected that the amount expended for overtime had been changed during the budget process to decrease the amount of the

Sheriff's budget. Sheriff York concurred with Chairman Monroe that in the future the amount of money budgeted for overtime should be more reflective of how much was expended in prior years.

Mr. VanNess apprised that he had received a copy of the monthly Law Enforcement schedule which reflected the regular monthly schedule, as well as the 30 special details that had been requested by the Towns. He noted that the special details increased the amount of overtime expended. Sheriff York interjected that although there had been an increase in requests for special details he felt that the amount of overtime budgeted for the year would be sufficient. With regards to the overtime usage pertaining to the Corrections Unit, Sheriff York stated that he felt that there would be a sufficient amount of funds to offset the overtime expense due to the reductions in regular salaries expense.

Discussion ensued.

Proceeding to Agenda Item 5, Sheriff York presented the following requests to fill vacant positions:

- 1) Correction Officer, base salary of \$32,400, due to retirement;
- 2) Correction Officer, base salary of \$32,400, due to retirement; and
- 3) Correction Officer, base salary of \$32,400, due to resignation.

Motion was made by Mr. Bentley, seconded by Mr. Sokol and carried by majority vote, with Mr. Belden voting in opposition, to approve the requests to fill the vacant positions as outlined above, and refer same to the Personnel Committee. *Copies of the Notices of Intent to Fill Vacant Positions are on file with the minutes.*

Sheriff York stated that as of July 23, 2009 six individuals had been charged with crimes associated with welfare fraud and food stamp trafficking due to the work performed by the Private Investigator hired by Social Services. He pointed out that ten individuals on Temporary Assistance to Needy (TANF) Families had been sanctioned for one month due to failure to comply with the independent family plan which resulted in a savings of \$12,200. He said that the Investigator was developing a new system to report benefit cards lost or stolen, which would aid in preventing abuse of the benefit cards.

Concluding the Agenda review, Sheriff York requested an executive session to discuss the employment history of a particular person.

Motion was made by Mr. Belden, seconded by Mr. Bentley and carried unanimously that executive session be declared pursuant to Section 105 (f) of the Public Officers Law.

Executive session was declared from 10:11 a.m. to 10:15 a.m.

The Committee reconvened and Mr. VanNess announced that no action was necessary pursuant to the executive session.

The Sheriff and Communications portion of the meeting concluded at 10:16 a.m.

Privilege of the floor was extended to Brian LaFlure, Director of the Office of Emergency Services/Fire Coordinator, who distributed copies of the Agenda to the Committee. A copy of the Agenda is on file with the minutes.

Pending Item 1, Mr. LaFlure apprised, referred to an update on leasing indoor storage space for the hazardous materials (HAZMAT) vehicles. He said that he had not received a definite figure from the owner of the prospective property and he would contact him to request that a proposal be prepared prior to the next Committee meeting.

Mr. O'Connor suggested that Mr. LaFlure give the owner of the prospective property a deadline to submit a proposal. Mr. LaFlure explained that the issue was that the contract for the rental of the space would be with the City of Glens Falls through the Fire Department; however, he said, if Raymond Ives, Fire Chief for the City of Glens Falls, was not able to obtain the prospective space an alternative space would need to be acquired.

Mr. VanNess suggested researching other storage space alternatives in case the owner of the prospective property was unable to acquire an agreement with the City of Glens Falls that was agreeable to Warren County. Mr. Kenny asked why the HAZMAT vehicle and trailer could not be stored in the Old Jail garage and Mr. LaFlure replied that the garage doors were too narrow to accommodate the HAZMAT vehicles.

Mr. Kenny questioned if renovations could be made to the Old Jail garage to create a sufficient storage space for the HAZMAT vehicles. Mr. LaFlure did not respond to whether renovations could be made on the Old Jail garage space, but noted that the ideal location was the indoor storage space located in Glens Falls due to the proximity of the HAZMAT crew which consisted of Glens Falls firefighters. He explained that the City of Glens Falls only charged the County for labor that was required due to the HAZMAT Team responding to an incident. He pointed out that the City of Glens Falls did not bill the County when they were performing routine maintenance and inspections on the equipment, which could change if the vehicles were moved to a location outside of the City limits.

On an inquiry by Mr. Kenny, Mr. LaFlure apprised that he had spoken with the County Buildings and Grounds Department regarding the possibility of constructing a pole barn or car port on the Municipal Center campus for all of the HAZMAT equipment to ensure they were protected from inclement weather; however, he said, the HAZMAT trailer required a heated storage space. He pointed out that if the truck and trailer were not stored within close proximity of each other the response time for incidents would be affected.

Mr. VanNess advised that he would inquire whether the property owner of a vacant garage located on Connecticut Avenue in the Town of Queensbury would be interested in leasing the space to the County and report back to the Committee. Mr. Belden apprised that he would inquire whether the Department of Public Works had any storage space available in their Glens Falls facility located on Warren Street and report back to the Committee, as well.

Proceeding to Pending Item 2, Mr. LaFlure requested to fill the vacant position of 2nd Emergency Medical Services (EMS) Deputy Coordinator due to termination.

Motion was made by Mr. Bentley, seconded by Mr. Belden and carried unanimously to approve the request to fill the vacant position of 2nd Deputy EMS Coordinator, base salary of \$2,999, due to termination, and refer same to the Personnel Committee. *A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.*

Pending Item 3, Mr. LaFlure stated, was a request to fill the vacant position of 3rd Deputy EMS Coordinator due to promotion.

Motion was made by Mr. Sokol, seconded by Mr. Bentley and carried unanimously to approve the request to fill the vacant position of 3rd Deputy EMS Coordinator, base salary of \$2,999, due to promotion, and refer same to the Personnel Committee. *A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.*

Moving along to new business, Mr. LaFlure advised that in response to Mr. Payne's request that Departments review their overtime usage, there were no employees within the Office of Emergency Services that were eligible for overtime.

Agenda Item 2, Mr. LaFlure stated, was a request to ratify the actions and authorize the submission of a grant application to the New York State Emergency Response Commission for Local Emergency Management Performance grant funding for the following terms:

- 1) October 1, 2006 through September 30, 2007 for an amount not to exceed \$1,800;
- 2) October 1, 2007 through September 30, 2008 for an amount not to exceed \$1,800;
and
- 3) October 1, 2008 through September 30, 2009 for an amount not to exceed \$2,930.

Motion was made by Mr. Belden, seconded by Mr. Thomas and carried unanimously to ratify the actions and authorize the submission of the grant application to the New York State Emergency Response Commission for Local Emergency Management Performance grant funding as outlined above, and the necessary resolution was authorized for the August 21, 2009 Board meeting. *A copy of the resolution request form is on file with the minutes.*

Mr. LaFlure apprised that Agenda Item 3 was a request to hire a per diem grant writer. He stated that grant funding was an essential source of funding for the Department and neither he nor anyone else in the Department had sufficient time to write grants. He said he would like to submit a Request for Proposal (RFP) for a per diem grant writer to inquire what the cost would be.

Motion was made by Mr. Belden and seconded by Mr. Thomas that an RFP be prepared by the Director and Deputy Director of the Office of Emergency Services to request quotes for a per diem grant writer.

Mr. Belden suggested including a clause in the RFP that stated that the individual would be paid on a case by case basis if the grants were awarded. Mr. Sokol asked whether Mr. LaFlure had requested grant writing assistance from the Planning and Community Development Department and Mr.

LaFlure replied affirmatively. He explained that they had informed him that they did not have sufficient time to write grants for his Department.

Mr. VanNess suggested that they ask Patricia Tatich, Director of Planning and Community Development, about the possibility of the Planning Department writing grants for the Office of Emergency Services. Mr. Taylor advised that he would discuss the matter at the next Planning and Community Development Committee meeting and report back to the Committee.

Following a brief discussion, Mr. VanNess called the question and the motion was carried unanimously that an RFP be developed by the Director and Deputy Director of the Office of Emergency Services to request quotes for a per diem grant writer.

Agenda Item 4, Mr. LaFlure advised pertained to the Hazard Mitigation Coordinator. Amy Manney, Deputy Director of the Office of Emergency Services, apprised that it was necessary for a Hazard Mitigation Coordinator to be appointed so they could participate in the upcoming training. She said that it was necessary for this individual to be trained to ensure that proper procedures were followed when responding to an incident.

Mr. Belden suggested that the matter be referred to the Department of Public Works (DPW) for discussion, as he felt an engineering background was necessary for the position.

It was the consensus of the Committee that the matter be referred to the DPW Committee to be discussed at their July 28, 2009 meeting.

Concluding the Agenda review, Mr. LaFlure advised that Patricia Nenninger, Second Assistant County Attorney, was working with Sean Maguire from the New York State Department of State Shared Services Committee relative to an extension for the Shared Services grant relative to the Emergency Services Training Center (ESCT). He said that all the necessary steps had been completed to request an extension of the grant; however, he noted, he was unsure of whether an extension would be granted.

Mr. VanNess apprised that he had spoken to Mrs. Nenninger and although she could not give a definite answer, she felt the extension would be awarded. Mr. LaFlure stated that he was actively seeking funds for the second phase of the project and had met with representatives for Congressman Murphy and Senators Schumer and Gillibrand. He explained that the funds had been approved for site preparation; however, he said, the funds would not be awarded until construction of the ESTC had begun.

Mr. LaFlure commended the Warren County Radio Amateur Civil Emergency Services (RACES) team for their performance during the drill sanctioned by the New York State Department of Health.

As there was no further business to come before the Committee, on motion made by Mr. Belden and seconded by Mr. Bentley, Mr. VanNess adjourned the meeting at 10:46 a.m.

Respectfully submitted,

Sarah McLenithan, Legislative Office Specialist